



No. VLC-S-H-121044
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA
Re: 26123 – 126th Avenue, Maple Ridge, British Columbia V2W 1C4

BETWEEN:

HOME TRUST COMPANY

PETITIONER

AND:

STEWART EDWARD IRVINE
CARMEL YOKO RICHTER
SHERWIN JACK-YEN HO
OLYMPIA TRUST COMPANY, IN TRUST
JOHN DOE (TENANT) and JANE DOE (TENANT)

RESPONDENTS

ORDER MADE AFTER APPLICATION

BEFORE MASTER *MacNIGHTON*)

THURSDAY, THE 30th DAY
OF MAY, 2013

ON THE APPLICATION of the Petitioner, Home Trust Company

[✓] coming on for hearing at Vancouver, British Columbia on Thursday, May 30, 2013 and on hearing Ronald A. Bakonyi, Counsel for the Petitioner, Jack Micner, Counsel for the Petition Respondents, Carmel Yoko Richter and Sherwin Jack-Yen Ho, and no one appearing on behalf of the remaining Petition Respondents although duly served

THIS COURT ORDERS that:

- (1) The lands and premises which are the subject matter of these proceedings, namely, real property located at 26123 – 126th Avenue, in the Municipality of Maple Ridge, in the Province of British Columbia, being more particularly known and described as:

Municipality of Maple Ridge
Parcel Identifier: 017-967-465
Lot 3 Section 24 Township 12 New Westminster District Plan LMP6975
(the "Lands and Premises")

commencing August 30/2013 *MPB*
be offered for sale, by private sale, free and clear of all encumbrances of the parties save and except the reservations, provisos, exceptions and conditions expressed in the original grant thereof from the Crown;


Approved August 31, 2013

- (2) The Petitioner, Home Trust Company, shall have exclusive conduct of sale and be at liberty to list the Lands and Premises for sale, for a period commencing ~~May 30, 2013~~ until further Order of the Court, and shall be at liberty to pay to any such real estate agent or firm who may arrange a sale of the Lands and Premises a commission of not more than seven (7%) percent on the first \$100,000.00 of the gross selling price and not more than two and one-half (2.5%) percent on the balance of the gross selling price to be paid from the proceeds of the gross selling price;
- (3) The sale shall be subject to the approval of the Court unless otherwise agreed by all parties;
- (4) The Respondent, STEWART EDWARD IRVINE, JANE DOE (Tenant) and JOHN DOE (Tenant), or any person or persons on behalf of the said Respondent including any person or persons in possession of the Lands and Premises, do forthwith and until further Order of the Court, permit any duly authorized agent on behalf of the Petitioner, to inspect, appraise, or show to any prospective purchaser the Lands and Premises including the interior of the Premises between the hours of 9:00 o'clock in the forenoon and 7:00 o'clock in the evening, on any day of the week, including Sundays (or such other day as may be set by the Court), and statutory holidays, and to post signs on the Lands and Premises stating that the Lands and Premises are offered for sale; and
- (5) The Petitioner be entitled to its costs of and incidental to this application on a Scale A basis.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:



Signature of Ronald A. Bakonyi
☐ party ☒ lawyer for the Petitioner, Home Trust Company



Signature of Jack Micner
lawyer for the Petition Respondents,
Carmel Yoko Richter and Sherwin Jack-Yen Ho

BY THE COURT



DEPUTY DISTRICT REGISTRAR